

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

DONALD and MARY THORNTON,)

Plaintiffs,)

vs.) Case No.: 2:06-cv-1072

ROLLIN VAUGHN SOWARDS and,)

PROGRESSIVE INSURANCE CO.,)

Defendants.

REPORT OF PARTIES' PLANNING MEETING

Pursuant to Federal Rule of Civil Procedure 26(f) and the Court's Order dated October 20, 2006, a meeting was held on January 2, 2007, via telephone and was attended by:

- William B. Alverson, Jr., Esq., on behalf of Plaintiffs, Donald and Mary Thornton
- Richard E. Crum, Esq., on behalf of Defendant, Rollin Vaughn Sowards

1. **Pre-Discovery Disclosures.** The parties will exchange the information required by Federal Rule of Civil Procedure 26(f)(1) on or before January 17, 2007.
2. **Discovery Plan.** The parties jointly propose to the Court the following discovery plan:

The likely subjects of discovery are:

Plaintiff expects to conduct discovery necessary to support the Plaintiff's claims and damages.

Defendant expects to conduct discovery regarding the facts and circumstances serving as the basis of the Plaintiff's claims, including but not limited to Plaintiff's job performance; the alleged discrimination; the alleged damages; the anticipated testimony of Plaintiff's witnesses; issues that arise during the course of discovery and/or that are raised in any dispositive motion of the Plaintiff or response of the Plaintiff to any dispositive motion filed by the Defendant; and such other material issues that may become relevant as the case develops.

- a. All discovery commenced in time to be completed by October 26, 2007.
- b. Maximum of 25 interrogatories by each party to each party. Responses due 30 days after service.

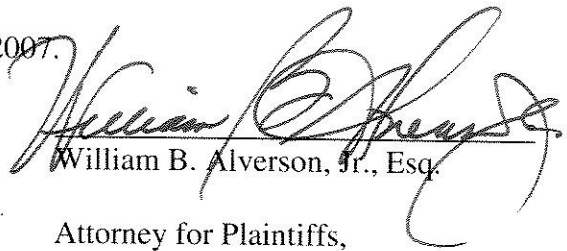
- c. Maximum of 25 requests for admission by each party to each party. Responses due 30 days after service.
- d. Maximum of 25 requests for production of documents by each party to each party. Responses due 30 days after service.
- e. Maximum of 5 depositions by Plaintiff to Defendant and 5 by Defendant to Plaintiff. deposition limited to eight hours.
- f. Reports from retained experts under Rule 26(f)(2) due:
from Plaintiffs by June 26, 2007.
from Defendant by July 31, 2007.
- g. Supplementation under Rule 26(e) due reasonably upon knowledge of additional information.

3. **Other Items.**

- a. The parties do not request a conference with the Court before entry of the scheduling order.
- b. The parties request a pretrial conference on or around October 26, 2007.
- c. Plaintiffs should be allowed until July 3, 2007, to join additional parties and to amend the pleadings.

Defendant should be allowed until July 23, 2007, to join additional parties and to amend the pleadings.
- d. All potentially dispositive motions should be filed on or before July 23, 2007.
- e. Settlement cannot be realistically evaluated prior to the completion of preliminary discovery.
- f. Final lists of trial evidence under Federal Rule of Civil Procedure 26(a)(3), both witnesses and exhibits, should be due from the parties on or before October 19, 2007.
- g. Parties should have 14 days after service of final lists of trial evidence to list objection under Rule 26(a)(3).
- h. The case should be ready for trial by this Court's December 3, 2007, trial term. At this time, the trial is expected to take approximately 2 days, excluding jury selection.


Respectfully submitted this 3rd day of January, 2007.



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